

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ORDER
08-CR-109A

DAVID GOSS,

Defendant.

This case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(A). On September 19, 2008, defendant filed a motion to suppress. On April 16, 2009, Magistrate Judge Scott filed a Report and Recommendation, recommending that defendant's motion to suppress be denied.

Defendant filed objections to the Report and Recommendation on April 24, 2009, and the government filed a response thereto on June 11, 2009. Oral argument on the objections was held on June 19, 2009.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a de novo determination of those portions of the Report and Recommendation to which objections have been made. Upon a de novo review of the Report and Recommendation, and after reviewing the submissions and hearing argument from the parties, the Court adopts the proposed findings of the Report and Recommendation.

Accordingly, for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, defendant's motion to suppress is denied.

The parties shall appear for a meeting to set a trial date at 9:00 a.m. on July 17, 2009.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: July 16, 2009